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EXAMINER
ANDERSON, JOHN A

ART UNIT	PAPER NUMBER
3696	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/788,430	MACOLINO, LAURIE
	Examiner	Art Unit	
	JOHN A. ANDERSON	3696	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 August 2008*.

2a)☐ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-11 and 13-17* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1-2,4-11,13-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   In the amendment filed 08/29/2008, Claims 1, 10 and 15 have been amended.

Claims 3 and 12 have been cancelled. Claims 1-2, 4-11 and 13-17 are pending.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or

described as set forth in section 102 of this title, if the differences between the subject

matter sought to be patented and the prior art are such that the subject matter as a whole

would have been obvious at the time the invention was made to a person having ordinary

skill in the art to which said subject matter pertains. Patentability shall not be negatived

by the manner in which the invention was made.

3.   Claims 1-7, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eicher

Jr et al (US PGPUB 2002/0099598 A1) in view of Menninger A.F.(US PGPUB

2003/0088449).

4.   As regards claim1 Eicher discloses a supply chain data management system

comprising:

a first trading entity coupled to be in communication with a server via a

communications network, said first trading entity registered with said server as a

participant of said system; [0035;0057;0063;0065]

at least one second trading entity coupled to be in communication with said server via said communications network, said at least one second trading entity registered with <u>said server</u> by said first trading entity as a trading partner of said first trading entity.[0065;0115]

a profile associated with each said trading entity, said profile specifying supply chain data to be communicated to and/or from one or more of said trading entities, each profile accessible by said server; [0087]

wherein, said server automatically requests supply chain data from at least one of said trading entities and in response to receiving said requested supply chain data, said server communicates data related to said supply chain data to one or more other trading entities in accordance with their profile. [0189]

Eicher does not disclose <u>wherein said server informs said second trading entity via said communications network that they have been registered by said first trading entity following registration of said second trading entity by said first trading entity;</u>

Menninger A.F discloses <u>wherein said server informs said second trading entity via said</u>

<u>communications network that they have been registered by said first trading entity</u>

<u>following registration of said second trading entity by said first trading entity; [1509]</u>

It would have been obvious for a person of ordinary skill in the art at the time of the

invention was made to use Menninger A.F in the device of Eicher The motivation would

have been to allow for the updating of the registration of the stores based on the

comparison in operation 9240.[1509]

5.   As regards claim 2 Eicher discloses wherein each profile for each said second

trading entity registered as a trading partner of said first trading entity is created

by said first trading entity.[0017]

6.   As regards claim 4 Eicher discloses wherein each profile specifies a format of

the supply chain data to be communicated to and/or from said trading

entity.[0064]

7.   As regards claim 5, Eicher discloses wherein a predetermined time limit for

responding to said request for supply chain data is associated with said request, after the

expiry of which, if said server has not received said requested supply chain data, a

reminder is sent by said server to said trading entity from which

said supply chain data was requested.[0124]

8.   As regards claim 6 Eicher discloses wherein said data related to said supply

chain data comprises a notification that supply chain data is available via said

communications network, the availability of said data to said one or more of said

second trading entities being specified by said first trading entity in said profile of

said second trading entities. [0090]

9.   As regards claim 7 Eicher discloses wherein said supply chain data is

communicated by one or more of the following: email, electronic data interchange

(EDI), facsimile.[0164]

10.   As regards claim 9 Eicher discloses wherein said server is an application

server.[0023]

11.   Claims 10-11,13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Ankireddipally L.N. et al (US PGPUB 2002/0116205) in view of Menninger

A.F.(US PGPUB 2003/0088449).

10.   As regards claims 10 and 15 Ankireddipally L.N. discloses a method of managing

supply chain data in a system comprising a plurality of trading entities coupled to be in

communication with a server via a communications network, said method including the

steps of:

- registering a first trading entity with <u>said server</u> as a participant of said

  system;[0084]

- registering with said server at least one second trading entity as a trading partner

  of said first trading entity, said registering performed by said first trading entity;

  <u>informing said second trading entity via said server and said communications</u>

  <u>network that they have been registered by said first trading entity as a trading</u>

  <u>partner of said first trading entity;[0087]</u>

- creating a profile associated with each said trading entity, each said profile

  specifying supply chain data to be communicated to and/or from one or more of

  said trading entities, each profile accessible by said server; [0057]

- automatically requesting supply chain data from at least one of said trading

  entities; and in response to said server receiving said requested supply chain data,

  communicating data related to said supply chain data to one or more other of said

  trading entities in accordance with their profile.[0059]

Ankireddipally L.N. does not disclose <u>informing said second trading entity via said server</u>

<u>and said communications network that they have been registered by said first trading</u>

<u>entity as a trading partner of said first trading entity;</u>

Menninger A.F discloses <u>informing said second trading entity via said server and said</u>

<u>communications network that they have been registered by said first trading entity as a</u>

<u>trading partner of said first trading entity; [1509]</u>

It would have been obvious for a person of ordinary skill in the art at the time of the

invention was made to use Menninger A.F in the device of Ankireddipally L.N. The

motivation would have been to allow for the updating of the registration of the stores

based on the comparison in operation 9240.[1509]

11.   As regards claims 11 and 16, Ankireddipally L.N. discloses, further including the

step of specifying a format in which each trading entity receives said data related to said

supply chain.[0065]

12.   Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Ankireddipally L.N. et al (US PGPUB 2002/0116205) in view of Menninger

A.F.(US PGPUB 2003/0088449).

13.   As regards claim 13 Ankireddipally discloses the steps of specifying a

predetermined time limit for responding to said request for supply chain data; [0089].
Ankireddipally does not disclose sending a reminder from said server to said trading
entity from which said supply chain data was requested if said server has not received
said requested supply chain data after the expiry of said time limit.
Menninger A.F. discloses sending a reminder from said server to said trading entity from
which said supply chain data was requested if said server has not received said requested
supply chain data after the expiry of said time limit [0547]
It would have been obvious for a person of ordinary skill in the art at the time of the
invention was made to use Menninger A.F.in the device of Ankireddipally. The
motivation would have been to inform the user of the pending time limit .

14.   As regards claim14 Ankireddipally L.N. , further including the step of said first
        trading entity specifying a plurality of said second trading entities sufficient to establish a
        complete supply chain.[0008]

15.   Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eicher Jr

        et al (US PGPUB 2002/0099598 A1) in view of Menninger A.F. (US PGPUB

        2003/0088449) and in further view of Zarefoss K.A et al (PGPub U.S. 2002/0138324)

16.   As regards claim 8, Eicher discloses server communicates data related to said supply

        chain data to one or more other trading entities in accordance with their profile, [0012].

        Eicher and Menninger does not disclose wherein said supply chain data is one or more of

        the following: estimated time of manufacture (ETM), arrival time and/or date (ARR),

        departures time and/or date (DEP), origin, destination, trading participant identity, mode

        of supply, customs clearance details (CCD), purchase order (PO), estimated time of

        supply (ETS), pacing list (PL), shippers letter of instruction (SLI), origin pick up details

        (OPU), house airway bill (HAWB), bill of lading (BOL), master airway bill (MAWB),

        ocean bill of lading (OBL), manifest details, freight and value (FN) information, invoice,

        commercial invoice (CI), receipt of shipment (WR).

        Zarefoss discloses wherein said supply chain data is one or more of the following:

        estimated time of manufacture (ETM), arrival time and/or date (ARR), departures time

        and/or date (DEP), origin, destination, trading participant identity, mode of supply,

customs clearance details (CCD), purchase order (PO), estimated time of supply (ETS),

pacing list (PL), shippers letter of instruction (SLI), origin pick up details (OPU), house

airway bill (HAWB), bill of lading (BOL), master airway bill (MAWB), ocean bill of

lading (OBL), manifest details, freight and value (FN) information, invoice, commercial

invoice (CI), receipt of shipment (WR). [0048 ; supply chain information may include,

for example, demand forecast, supply forecast, promotional forecast, purchasing order

information, and the like, for any point in the supply chain and for any supply chain

participant.]

It would have been obvious for a person of ordinary skill in the art at the time of the

invention was made to use Zarefoss in the device of Eicher. The motivation would have

been to support the business needs of a user or a trading partner.

17.   Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ankireddipally

        L.N. et al (US PGPUB 2002/0116205) in view of Menninger A.F.(US PGPUB

        2003/0088449) and in further view of Zarefoss K.A et al (PGPub U.S. 2002/0138324).

18.   As regards claim 17, Ankireddipally discloses creating a profile associated with each said

        trading entity, each said profile specifying supply chain data to be

        communicated to and/or from one or more of said trading entities, each profile accessible

        by said server; [0057]

Ankireddipally does not disclose, wherein said supply chain data is one or more of the

following: estimated time of manufacture (ETM), arrival time and/or date

(ARR),departures time and/or date (DEP), customs clearance details (CCD), purchase

order (PO),estimated time of supply (ETS), packing list (PL), shipper's letter of

instruction (SLI), origin pick up details (OPU), house airway bill (HAWB), bill of lading

(BOL), master airway bill (MAWB), ocean bill of lading (OBL), manifest details, freight

and value (FN) information, invoice, commercial invoice (CI), receipt of shipment (WR).

Zarefoss discloses supply chain information may include, for example, demand forecast,

supply forecast, promotional forecast, purchasing order information, and the like, for any

point in the supply chain and for any supply chain participant. [0048]

It would have been obvious for a person of ordinary skill in the art at the time of the

invention was made to use Zarefoss in the device of Ankireddipally. The motivation

would have been to provide necessary data and information to support the business needs

of a user or a trading partner.

Response to Arguments

20.   Applicant's arguments with respect to claims 1-17 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN A. ANDERSON whose telephone number is (571)270-3327. The examiner can normally be reached on Monday through Friday 8:00 to 5:00 Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John A Anderson/   John A Anderson

Examiner, Art Unit 3696   Examiner

                                                               Art Unit 3696

/J. A. A./

Examiner, Art Unit 3696 11/18/2008

/Daniel S Felten/

Primary Examiner, Art Unit 3696